Washington, Thursday, June 26, 1941

The President

EXECUTIVE ORDER

AMENDMENT OF REGULATIONS CONCERN-ING FOREIGN SERVICE PAY ADJUSTMENT

By virtue of and pursuant to the authority vested in me by the act of March 26, 1934, 48 Stat. 466 (U.S.C., title 5, sec. 118c), the list of basic rates of exchange established by section 4 of Executive Order No. 7972 of September 15, 1938, as amended, prescribing regulations for the payment of losses sustained by officers, enlisted men, and employees of the United States in foreign countries on account of the appreciation of foreign currencies in their relation to the American dollar, is hereby amended, effective January 1, 1941, by the inclusion under the Netherlands possessions of Surinam, at the basic rate of 40.19 cents to the florin.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE. June 22, 1941.

INo. 88001

[F. R. Doc. 41-4518; Filed, June 24, 1941; 2:33 p. m.]

Rules, Regulations, Orders

TITLE 10-ARMY: WAR DEPARTMENT

CHAPTER VI-ORGANIZED RESERVES

PART 61-OFFICERS' RESERVE CORPS²

§ 61.45 Chaplain's Reserve-(a) Special limitations, relative to appointment, promotion, and continuance in commission. (1) Appointment and promotion, subject to the age restrictions in § 61.1 and to limitations contained in these and other pertinent regulations, will be made in all grades from first lieutenant to colonel, inclusive.

(2) Evidence of being accredited by and of good standing in some religious denomination or organization.

(3) Evidence of accreditation will be maintained throughout the period of commission. On July 1 of each year, or at such other times as may be deemed proper, the Chief of Chaplains will submit to denominational officials and committees recognized by the War Department a list of their chaplains for recertification or other evidence of the continuance of accreditation.

(b) Subjects for military knowledge qualification requirements. The sub-jects included in the military knowledge qualification requirements for appointment in the lowest grade and for promotion to higher grades will correspond to those contained in the current annual Announcement of Army Extension Courses. Evidence of qualifica-tion in the listed subjects is determined by the satisfactory completion of the required series of the Army Extension Courses, or by prescribed waivers and exemptions.

(c) Chaplain (first lieutenant), appointment to grade of—(1) Military knowledge qualifications. None.

(2) Ability qualifications. Thesis (see par. (d) below).

(3) Civilian experience. Actively engaged in the ministry as his principal vocation in life for a period of 3 years including at least 1 year's experience as a clergyman in the denomination by which accredited.

(4) Nonmilitary educational qualifications. See paragraph (e).

(d) Ability qualifications—Thesis on some phase of the duties of chaplains. The thesis will consist of not less than 2.000 words on some phase of the duties of chaplains. The subject for the thesis will be designated by the Chief of Chaplains upon request forwarded by the corps area commander to The Adjutant General. If the thesis is a requirement for appointment, it will be marked by and will accompany the report of the examining board. If the thesis is a requirement for a certificate of capacity, it will be marked by the examiner or examining board and sent to the inter-

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¹3 F.R. 2249. 2 61.45 is superseded, effective July 1, 1941.



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ested corps area commander who will forward it with his comments, if any, to The Adjutant General for transmission to the Chief of Chaplains for final evaluation and for file.

(e) Nonmilitary educational qualifications. An A. B. degree from a recognized college and a Th. B. degree from a recognized theological school, or evidence of a general knowledge equivalent to a college and the theological education received from recognized institutions of learning. In the absence of the foregoing qualifications the applicant may, in the discretion of the Chief of Chaplains, be given a written examination to determine his professional fitness. Each application for the chaplaincy will be

made through channels to The Adjutant General for transmission to the Chief of Chaplains for the scope of the examination. (39 Stat. 189, 41 Stat. 775, 42 Stat. 1033, 48 Stat. 154, 939; 10 U.S.C. 352, 353) [Pars. 2, 4, 5, 10 and 11, AR 140-25, June 10, 1941]

[SEAT.]

E. S. Adams, Major General, The Adjutant General.

[F. R. Doc. 41-4523; Filed, June 25, 1941; 9:54 a. m.]

CHAPTER VIII—PROCUREMENT AND DISPOSAL OF EQUIPMENT AND SUPPLIES

PART 81-PROCUREMENT OF MILITARY SUP-PLIES AND ANIMALS 1

§ 81.26 Performance bonds.

(c) Forms used.

(2) With two or more corporate sureties covering construction, alteration, repair of public buildings or public work contracts where it is desired to limit the liability of the several corporate sureties. On May 29, 1941, the Acting Secretary of the Treasury approved special per-formance bond form designated as Standard Form No. 25b, which is to be used only in cases where two or more corporate sureties authorized by the Secretary of the Treasury to act as surety, each limiting its liability to a portion only of the total penalty, are to execute a bond to secure the performance of a contract under the act of August 24, 1935 (See (a) (2) (i) above). The form is to be used in lieu of Standard Form No. 25, Revised, where corporate co-suretyship is involved. The form regularly consists of three sheets, which will comprise the entire bond in cases involving not more than six sureties. For cases involving more than six sureties, continuation sheets to sheets 1 and 3 of the form are provided, bearing the separate Standard Form designations 25b1 and 25b3. Form 25b1 is a continuation of the schedule set forth on sheet 1 of the main form, in which the names and States of incorporation of the sureties are to be listed together with the limit of the liability assumed by each; and Form 25b3 merely provides additional places for execution by corporate sureties where more than six are to execute a bond of this type. Any number of these continuation sheets may be used, depending upon the number of sureties involved in the particular case. (20 Stat. 36, 22 Stat. 487, 49 Stat. 793; 5 U.S.C. 218, 40 U.S.C. 270a) [Par. 10c (2), AR 5-220, Aug. 7, 1940, as amended by Proc. Cir. 49, W.D., June 18, 1941]

***** ~ § 81.28 Payment bonds. (d) Forms used.

(2) With two or more corporate sureties where it is desired to limit the liability of the several corporate sureties. On May 29, 1941, the Acting Secretary of the Treasury approved special payment bond form designated as Standard Form No. 25c, which is to be used only in cases where two or more corporate sureties authorized by the Secretary of the Treasury to act as surety, each limiting its liability to a portion only of the total penalty, are to execute a payment bond under the act of August 24, 1935 (see § 81.26 (a) (2) (i) above), for the protection of persons supplying labor and material for construction work. This form is to be used in lieu of Standard Form No. 25a where corporate co-suretyship is involved. The form regularly consists of three sheets which will comprise the entire bond in cases involving not more than six sureties. For cases involving more than six sureties, continuation sheets to sheets 1 and 3 of the form are provided bearing the separate Standard Form designations 25c1 and 25c3. Form 25c1 is a continuation of the schedule set forth on sheet 1 of the main form, in which the names and States of incorporation of the sureties are to be listed together with the limit of the liability assumed by each; and Form 25c3 merely provides additional places for execution by corporate sureties where more than six are to execute a bond of this type. Any number of these continuation sheets may be used, depending upon the number of sureties involved in the particular case. (49 Stat. 793, 794; 40 U.S.C. 270a, 270c) (Par. 12d (2), AR 5-220, Aug. 7, 1940, as amended by Proc. Cir. 49, W.D., June 18, 1941]

[SEAL]

E. S. Adams, Major General, The Adjutant General.

[F. R. Doc. 41-4524; Filed, June 25, 1941; 9:54 a. m.]

TITLE 14—CIVIL AVIATION

CHAPTER I-CIVIL AERONAUTICS AUTHORITY

[Amendment No. 120 of the Civil Air Regulations]

PART 60-AIR TRAFFIC RULES

MINIMUM AND MAXIMUM ALTITUDES OF FLIGHT AND WEATHER MINIMUMS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of June 1941.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205, 601, and 604 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and

^{1 §§ 81.26 (}c) (2) and 81.28 (d) (2) are superseded.

perform its powers and duties under, said Act, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective July 1, 1941, Parts 60 and 61 of the Civil Air Regulations are amended as follows:

1. By amending § 60.35 to read as follows:

§ 60.35 Minimum and maximum safe altitudes of flight.

§ 60.350 Minimum safe altitudes. Exclusive of taking off from or landing upon an airport or other landing area aircraft shall not be flown below the following minimum safe altitudes of flight:

§ 60.3500 An altitude over the congested parts of cities, towns, or settlements, sufficient to permit at all times an emergency landing outside of such areas in the event of complete power failure, but in no case less than 1,000 feet above the ground.

§ 60.3501 An altitude over an area certified by the Administrator as a danger area sufficient to permit at all times an emergency landing outside of such danger area in the event of complete power failure but in no case less than 1,000 feet above the ground: *Provided*, That the restrictions of this paragraph shall not apply to public aircraft previously authorized by the appropriate governmental agency to make specific flights below such minimums in the public interest.

§ 60.3502 1,000 feet above the ground over any Federal penal institution or any open air assembly of persons.

§ 60.3503 500 feet above the ground or water elsewhere than as specified in §§ 60.3500, 60.3501, and 60.3502, or within 500 feet from any mountain, hill, or other obstruction to flight, except as may be specifically approved by the Administrator: Provided, however, That seaplanes and amphibians may be flown below 500 feet, but not below 300 feet, if making a contact flight during daylight hours over open water and where an emergency landing may, at all times, be made, without the aid of power, into the wind and without danger of collision with craft on the surface or other obstructions: And provided, further, That the restrictions of this paragraph shall not apply to public aircraft, previously authorized by the appropriate governmental agency, to make specific flights below such minimums in the public interest.

§ 60.3504 1,000 feet above the ground or water, or within 1,000 feet of any mountain, hill or other obstruction to flight, if an aircraft is making an instrument flight as defined in § 60.131.

§ 60.3505 Any maneuver required in student instruction or solo practice under the supervision of a certificated flight instructor, the Army, Navy, Marine Corps, or Coast Guard, or in flight tests given by an inspector of the Administrator, may be conducted at the altitude above the ground or water necessary for the proper execution of such maneuver in places other than as specified in §§ 60.3500, 60.3501, and 60.3502.

§ 60.351 Maximum safe altitude. Aircraft, except military aircraft, shall not be flown at altitudes above 17,000 feet above sea level: Provided, however, That air carrier aircraft in scheduled air transportation may operate above that altitude when authorized by the terms of the competency letters issued to the air carrier: And provided, further, That the Administrator may authorize flights of aircraft above that altitude when necessary in the interests of safety or the development of aeronautics.

§ 60.3510 Military aircraft when operating above 17,000 feet above sea level must be equipped with two-way radio equipment adequate to communicate at all times with either a ground radio station maintained by one of the armed forces of the United States or with an airway communications station of the Administrator. Such aircraft shall obtain a clearance from the appropriate airway traffic control center of the Administrator before ascending to or descending from that altitude if during such ascent or descent the aircraft enters into or passes through an airway traffic control area.

§ 60.3511 Military aircraft while operating either contact or on instruments above the altitude of 17,000 feet above sea level in accordance with the provisions of § 60.351 shall be exempt from all other provisions of this Part except that such aircraft shall comply with the airplane light rules of § 60.61 and when flying along or crossing routes or civil airways approved for use by a scheduled air carrier authorized to operate above 17,000 feet, such military aircraft shall comply with the following flight altitudes:

(a) Eastbound flights. Aircraft making good a true course of 0° (or 360°) to, but not including, 180° shall fly at an ODD thousand-foot level plus 500 feet, above sea level (such as 17,500, 19,500 or 21,500 feet); and

(b) Westbound flights. Aircraft making good a true course of 180° to, but not including, 360° (0°) shall fly at an EVEN thousand-foot level plus 500 feet, above sea level (such as 18,500, 20,500 or 22,500 feet).

2. By amending § 60.44 to read as follows:

§ 60.44 Weather minimums. The following weather minimums shall govern flight made in accordance with contact flight rules: Provided, however, That an airway traffic control center of the Administrator may for reasons of safety restrict or suspend contact flight operation within the airway traffic control area of such center: Provided, further, That in the interests of safety the Administrator may fequire higher minimums at any particular control airport, and that such minimums shall govern the control zone in which such control airport lies.

§ 60.440 Within control zones. Aircraft shall not be flown within a control zone unless the ceiling is at least

1,000 feet and the visibility is at least 3 miles: Provided, however, That a certificated air-traffic control-tower operator on duty in a radio-equipped airport control tower may authorize flight at altitudes of 1,000 feet or less above the ground or water when the visibility is less than 3 miles but not less than 1 mile: And provided, further, That such operator may suspend contact flight operation within the control zone when reasons of cafety require such actions.

§ 60.441 Outside of control zone.

\$60.4410 At or below 1,000 feet. Aircraft shall not be flown at or below 1,000 feet above the ground or water unless the celling is sufficient to permit flight at the minimum altitude prescribed in \$60.35 and unless the visibility during the hours of daylight is at least 1 mile and during the hours of darkness is at least 2 miles.

\$60.4411 Abore 1,000 feet. Aircraft shall not be flown above 1,000 feet above the ground or water unless the ceiling is sufficient to permit flight at the minimum altitude prescribed in \$60.35 and unless the visibility is at least 3 miles at flight altitude.

§ 60.442 Proximity to cloud formation. Aircraft shall not be flown closer than 500 feet vertically to an overcast or cloud formation nor closer than 2,000 feet horizontally to a cloud formation.

3. By amending § 61.742 to read as follows:

§ 61.742 Maximum altitude of flight operations. No scheduled air carrier aircraft shall be operated at altitudes above 17,000 feet above sea level unless specifically permitted by the terms of the competency letters issued to the air carrier. A competent cabin attendant to care for passengers shall be provided on all air carrier flights carrying passengers operating for any period of time above 12,000 feet above sea level.

4. By amending the table of contents of Part 60 by striking "60.35 Minimum safe altitudes" and inserting in lieu thereof "60.35 Minimum and maximum safe altitudes of flight."

By the Civil Aeronautics Board.

[SEAL] THOMAS G. EARLY,

Secretary.

[F. R. Doc. 41-4538; Filed, June 25, 1941; 11:32 a. m.]

[Amendment No. 121 of the Civil Air Regulations]

PART 60—AIR TRAFFIC RULES CONTACT FLIGHT ABOVE 3,500 FEET ON CIVIL AIRWAY

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of June 1941.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 601 (a) and 604 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exer-

cise and perform its powers and duties under, said Act, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective July 1, 1941, the Civil Air Regulations are amended:

1. By amending § 60.471 to read as follows:

§ 60.471 . Contact flight above 3,500 feet on civil airway. In addition to all contact flight rules, aircraft flying under contact conditions at an altitude of more than 3,500 feet above the ground or water and within the limits of a civil airway shall conform to the rules prescribed for flight under instrument conditions in the following respects:

- (1) Compliance with § 60.53, Flight plans, when flights touch airway traffic control areas:
- (2) Maintenance of flight altitudes (§ 60.58); and
- (3) Maintenance of communication contacts (§ 60.571).

§ 60.4710 Equipment. In addition to the equipment required by § 60.41 all such aircraft shall be equipped with a radio receiver as specified in § 04.512 (e), a radio transmitter capable of maintaining communication with an airway communications station of the Administrator under normal conditions, and a sensitive altimeter as specified in § 04.513 (d).

§ 60.4711 Communication failure. In the event of the failure of two-way communication equipment on such aircraft the pilot shall immediately either leave the airway or descend to an altitude below 3,500 above the ground or water.

2. By amending § 60.43 to read as follows:

§ 60.43 Flight plan. A flight plan is not required unless the flight is made above 3.500 feet above the ground or waterwithin the limits of a civil airway as specified in § 60.471.

- 3. By striking § 60.472.
- 4. By striking § 60.48 and by striking from the table of contents of Part 60 the following:

§ 60.48. Flight altitudes.

By the Civil Aeronautics Board. [SEAL] THOMAS G. EARLY,

Secretary.

[F. R. Doc. 41-4539; Filed June 25, 1941; 11:32 a. m.l

TITLE 24—HOUSING CREDIT CHAPTER IV—HOME OWNERS' LOAN CORPORATION

[Administrative Order No. 3-213] PART 402-LOAN SERVICE

The fourth paragraph of § 402.14-61, Suspension and reestablishment of insurance accruals, is amended by the deletion of the words "Form RO-I-334" and the substitution therefor of the words "Form 197".

(Effective date July 1, 1941)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by section 13 of the Act of April 27, 1934, 48 Stat. 647: 12 U.S.C. 1463 (a), (k).)

[SEAL]

J. Francis Moore, Secretary.

[F. R. Doc. 41-4517; Filed, June 24, 1941; 2:00 p. m.]

TITLE 31-MONEY AND FINANCE: TREASURY

CHAPTER I-MONETARY OFFICES

PART 131—GENERAL LICENSES UNDER EXEC-UTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO 1

JUNE 24, 1941.

§ 131.51 General License No. 51.2 (a) A general license is hereby granted licensing the Union of Soviet Socialist Republics as a generally licensed country.

(b) As used in this general license: Any foreign country licensed as a "generally licensed country", and nationals thereof, shall be regarded for all purposes as if such foreign country were not a foreign country designated in the Order.

[SEAL] E. H. Foley, Jr., Acting Secretary of the Treasury.

[F. R. Doc. 41-4522; Filed, June 24, 1941; 4:31 p. m.]

TITLE 32-NATIONAL DEFENSE

CHAPTER VII—SELECTIVE SERVICE SYSTEM

[No. 10]

ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940, approved September 16, 1940, and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of Paragraph 163 and Appendix A to Volume One of the Selective Service Regulations. I hereby prescribe the following change in a DSS form:

1. That DSS Form 57 be revised effective June 30, 1941. Upon the receipt of DSS Form 57 (Revised 6-30-41) all copies of the original DSS Form 57 will be destroyed and its use discontinued.

The foregoing revision and discontinuance shall, effective June 30, 1941, become a part of Appendix A to Volume One, Selective Service Regulations.

> LEWIS B. HERSHEY. Deputy Director.

JUNE 14, 1941.

[F. R. Doc. 41-4520; Filed, June 24, 1941; 3:25 p. m.]

[No. 11]

ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940, approved September 16, 1940, and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of Paragraph 163 and Appendix A to Volume One of the Selective Service Regulations, I hereby prescribe the following change in a DSS form:

1. That DSS Form 58 be revised effective June 30, 1941. Upon the receipt of DSS Form 58 (Revised 6-30-41) all copies of the original DSS Form 58 will be destroyed and its use discontinued.

The foregoing revision and discontinuance shall, effective June 30, 1941, become a part of Appendix A to Volume One, Selective Service Regulations.

> LEWIS B. HERSHEY. Deputy Director.

JUNE 14, 1941.

[F. R. Doc. 41-4521; Filed, June 24, 1941; 3:25 p. m.]

CHAPTER XI-OFFICE OF PRICE AD-MINISTRATION AND CIVILIAN SUPPLY

PART 1306—IRON AND STEEL

PRICE SCHEDULE NO. 10-PIG IRON

The Office of Price Administration and Civilian Supply is charged with maintenance of price stability and the prevention of undue price rises and price dislocations. Iron and steel scrap and Pig Iron are basic materials for the production of iron and steel products. By Price Schedule No. 4. amended.3 and Price Schedule No. 6, Revised, respectively, price ceilings have been placed on iron and steel scrap and on iron and steel products. Recent wage increases and the increased demand for Pig Iron resulting from the national defense emergency have been exerting pressure upon the price structure, causing the prices of certain grades and kinds of Pig Iron to be increased. In the interest of na-

¹5 F.R. 2740.

¹ All general licenses will hereafter appear under Part 131. Each license will be treated as a separate section, with the number to the right of the decimal point corresponding to

the number of the license.

² Sec 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941; Regulations, April 10, 1940, as amended June 14,

⁵ F.R. 3785.

¹5 F.R. 3784. ²6 F.R. 1767, 1872, 2986, 3061. ³6 F.R. 3061.

tional defense and the public interest a price ceiling is necessary. On the basis of information secured by independent investigation by this Office, and upon information furnished by the trade, I find that the maximum ("ceiling") prices as set forth below constitute reasonable limitations on prices for Pig Iron.

Therefore, pursuant to the authority vested in me by Executive Order No. 8734 it is hereby directed that:

§ 1306.51 Definitions. When used in this Schedule:

(a) The term "Person" includes an individual, corporation, association, partnership, or other business entity.

(b) The term "Pig Iron" includes all Pig Iron such as Basic, Foundry, Malleable, Bessemer, Low-Phosphorus, High-Silicon or Silvery, Gray Forge, Charcoal, etc., commonly produced in blast furnaces.

(c) The term "Basing Point Base Price" means the prices for Pig Iron as listed in § 1306.56, Appendix A.

(d) The term "Differential" means those provided in § 1306.56, Appendix A, otherwise the charges in effect June 24, 1941, prescribing additions or deductions from the base price to make adjustment for various analyses of the product sold from the product governed by the base price, which variations may be in chemical analysis, or other quality of the product.

(e) The term "Governing Basing Point" means that basing point the use of which results in the lowest delivered price at the place of delivery; in the case of exports it may also mean the established basing point at or nearest the place of production.*

*§§ 1306.51 to 1306.56, inclusive, issued pursuant to the authority contained in Executive Order No. 8734.

§ 1306.52 Maximum ("ceiling") prices on sales of pig iron. On and after June 24, 1941, regardless of any commitment theretofore entered into, no Person who produces Pig Iron shall sell or deliver or offer to sell or deliver any such product, and no purchaser shall buy or accept delivery or offer to buy or accept delivery from such Person of any such product, at a price exceeding the maximum ("ceiling") price: Provided, That with respect to any sale of Pig Iron for future delivery, a contract may provide for the payment of an adjusted price not to exceed the maximum ("ceiling") price in effect at the time of shipment.

A lower price than the ceiling price may be charged, demanded, offered, or paid. The price limitations set forth in this Price Schedule shall not be evaded by additional charges for prompt or early delivery, or by other direct or indirect methods, nor shall the other terms and (a) The domestic celling price for any grade or kind of Pig Iron for which there are Basing Point Base Prices shall be the aggregate of: (1) the Basing Point Base Price at the Governing Basing Point; (2) Differentials; (3) transportation charges from the Governing Basing Point to the place of delivery as customarily computed.

(b) The export ceiling price for any grade or kind of Pig Iron for which there are Basing Point Base Prices shall be the aggregate of: (1) the Basing Point Base Price at the Governing Basing Point; (2) Differentials; (3) export transportation charges from the Governing Basing Point to the place of delivery as customarily computed.

For all special kinds or grades of Pig Iron for which there are no Differentials, the ceiling prices shall be the Basing Point Base Prices and the special differentials which were or would have been charged by the seller on June 24, 1941, (upon the basis of the prices, discounts, charges, or special differentials then listed or quoted by the seller) for such kinds or grades of Pig Iron, exclusive of any premium or charge for advanced delivery or any other inducement offered by the buyer or demanded by the seller to negotiate the sale.*

§ 1306.53 Records. (a) Every Person who produces Pig Iron shall retain copies of all invoices, dated January 1, 1941, or later, relating to sales of such products, including sales to exporters, brokers and all other Persons purchasing for resale. Reports on such sales, in such form as may be determined, will be required by Supplements issued under this Price Schedule.

(b) Every Person who produces and sells Pig Iron shall file a copy of his price schedules, including Differentials, stating the prices, charges and discounts in effect on June 24, 1941. Such materials shall be filed with the Office of Price Administration and Civilian Supply, Washington, D. C., on or before July 10, 1941.

§ 1306.54 Supplement. In order to facilitate the application of this Schedule, Supplements further stating its scope will be issued from time to time as may be necessary, or appropriate.*

§ 1306.55 Modification. This Price Schedule is issued upon the basis of presently existing conditions. It is subject to adjustment or revocation if called for by changed conditions. Persons complaining of hardship or inequity in the operation of this Schedule (whether arising from action taken in reliance on a commitment of sale at prices in excess of those herein established, or from any other cause) may apply to the Office of

Price Administration and Civilian Supply for approval of any proposed medification thereof.*

Issued this twenty-fourth day of June 1941.

LEON HENDERSON,
Administrator.

§ 1306.56 Appendix A, Basing point base prices for pig iron (per gross ton—2,240 lbs.); switching charges; certain differentials

					_
	No. 2 found- ry		Box- ee- mar	Mel- leable	Low phase phate
Bethlehem, Pa	\$23,00	324. 50	S26.00	S25.50	ļ
Everett, Macs	25,00	24.50	26.00	25.50	<u>`</u>
Swedeland, Pa Steelton, Fa	2400	21.50 21.50	29.00	20:50	\$29.50
Bridebero, Pa Sparrows Point, Md.	25,00	24.50 24.50	26.00	. 25.50	29,50
Eric, Pa	24.00	23.10	23.00	24.50	
Neville Island, Pa Sharpoville, Fa		23.00 23.00			
Buffala	24.00	23.00	23.00	24.50	20,50
Chimzo	21.00	23.50 23.50	24.00	24.00	
Cleveland	21.00	23.50 23.50	24.50	24.00	}
Telrie, Obio	24.00	23.20	24.70	24.00	! !
Youngetown		23.20 23.20			
Duluth	24.50		25.00	24.50	
Birmiraham Prove, Utah		12.00			
-	<u> </u>	Į .	Į.	Ĭ.	<u>. </u>

HIGH-SILICON, SILVERY

(Base silicon 6.00 percent to 6.50 percent)

	County, Ohio	
Buffalo,	New York	30.75

GRAY FORCE

Valley or Pittsburgh Furnace....... \$23.50

		\$23.00
ı	Lyles, Tenn. High Phos. Furnace	23.50
ı	Lyles, Tenn. Low Phos. Furnace	33.00

Switching charges. Basing Point Base Prices are to be subject to an additional charge for delivery within the switching limits of the respective districts.

Silicon differentials. Basing Point Base Prices are to be subject to an additional charge not to exceed \$0.50 a ton for each 0.25 percent silicon content in excess of base grade (1.75 percent to 2.25 percent).

Phosphorus differential. Basing Point Base Prices are to be subject to a reduction of \$0.38 per ton for phosphorus content of 0.70 percent and over.

Manganese differentials. Basing Point Base Prices are to be subject to an additional charge not to exceed \$0.50 a ton for each 0.50 percent manganese content in excess of 1.00 percent.

Exception. Pittsburgh Coke and Iron Company (Sharpsville, Pa. Furnace only) and the Struthers Iron and Steel Company, Struthers, Ohio, may charge \$0.50 a ton in excess of Basing Point Base Prices for No. 2 Foundry, Basic, Bessemer and Malleable.*

[P. R. Doc. 41-4516; Filed, June 24, 1941; 12:05 p. m.]

conditions of sale be made more onerous to the purchasers than those available or in effect on June 24, 1941.

⁴⁶ F.R. 1917.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-461]

PETITION OF DISTRICT BOARD NO. 11 FOR REVISION OF THE EFFECTIVE MINIMUM PRICES FOR MINE INDEX NO. 106, DISTRICT NO. 11

ORDER DENYING MOTION TO CONTINUE HEARING AND CANCELLING THE HEARING NOW SCHEDULED AND, EFFECTIVE TEN DAYS FROM DATE, TERMINATING THE TEMPORARY RELIEF NOW EFFECTIVE AND DISMISSING THE ORIGINAL PETITION

The original petition in the above-entitled matter, filed by District Board No. 11 with the Division on December 9, 1940, prayed for certain temporary relief, to be effective for a period of 90 days thereafter, reducing the effective minimum prices for the coals of Mine Index No. 106, operated by F. C. Morgan Coal Company, a code member in District No. 11. The original petitioner also requested an additional classification in Size Group 33 for the coals of Mine Index No. 106 and the establishment of the minimum price of \$1.15 per net ton for its coals in that size group.

Following an informal conference held on December 18, 1940, with reference to the request for temporary relief, an Order was entered on January 11, 1941, granting, for a period of 90 days from and after that date, the requested temporary relief.

District Board No. 10 filed an intervening petition in the matter, wherein it requested that no action be taken therein prejudicial to the interests of itself or of code members in District No. 10. Ray Morgan, the operator of Mine Index No. 106, filed an intervening petition in support of the relief requested in the original petition, Towell & Towell, et al., comprising ten code members in District No. 11, jointly filed in the proceeding, on January 31, 1941, a motion to terminate or modify the temporary relief granted in the Order of January 11.

On February 27, an Order was entered setting the matter for hearing at Evansville, Indiana, on March 12, 1941. On February 28, an Order was entered withholding disposition of the motion of Towell & Towell, et al., to terminate or modify the temporary relief theretofore granted until the time of the hearing in the matter, scheduled for March 12.

At the hearing on March 12, District Board No. 11 filed a motion for its continuance for a period of sixty days. The Board's motion was accompanied by a written stipulation between it and the interveners, Ray Morgan and Towell &

Towell, et al., wherein the Board agreed to procure within the sixty day period certain evidence which would be pertinent to the issues involved and those interveners consented to the entry of an order extending the temporary relief then in effect until a final order be entered in the matter.

In accordance with that motion, the hearing was continued to April 25, and, on March 25, an Order was entered extending the effective term of the temporary relief pending final disposition of the matter. Thereafter, on April 18, the hearing was continued to May 13 to be held at Evansville, Indiana.

At the hearing on May 13, District Board No. 11 again filed a motion to continue the hearing for a further period of thirty days. The continuance was granted. On June 2, District Board No. 11 filed another motion for further continuance of the hearing for two weeks. That motion was granted by the Director's Order of June 7.

District Board No. 11 has now filed another motion for a further continuance of the hearing for forty-five days. It appears that despite the repeated opportunities heretofore afforded it in that respect, District Board No. 11 is not yet ready to present evidence supporting the relief presently effective in this matter. and originally requested by it for the period which expired April 11, 1941, and that the terms of the aforementioned stipulation have not been fulfilled. Considering the history of this proceeding, the Director is of the opinion that there is no sufficient justification for further continuance of the hearing or of the temporary relief heretofore granted. It appears rather that the proceedings in the above-entitled matter should be dismissed at the present time, without prejudice to the rights of any of the parties supporting the relief prayed for herein subsequently to file a petition pursuant to section 4 II (d) of the Act concerning the same subject.

Now, therefore, it is ordered, That the motion of the original petitioner, District Board No. 11, to continue the hearing in the above-entitled matter to a date subsequent to June 24, 1941, be, and it hereby is, denied; and

It is further ordered, That the hearing in the above-entitled matter, heretofore scheduled for June 24, 1941, at the Post Office Building at Terre Haute, Indiana, be, and it hereby is, cancelled; and

It is further ordered, That, effective fifteen days from and after the date hereof, (1) the temporary relief heretofore granted as to the coals of Mine Index No. 106 in District No. 11 by the Director's Order of January 11, 1941, and extended to date by his Order of March 25, 1941, be terminated, and (2) the proceeding in the above-entitled matter be

dismissed, without prejudice, and the docket closed.

Dated: June 24, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-4527; Filed, June 25, 1941; 10:58 a. m.]

[Docket No. A-598]

PETITION OF DISTRICT BOARD 17 FOR RE-VISION OF THE PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR CERTAIN COALS IN DISTRICT 17 AND FOR CHANGES IN CER-TAIN MARKET AREAS THEREIN

ORDER AMENDING MEMORANDUM OPINION
AND ORDER DATED MAY 28, 1941

A Memorandum Opinion and Order of the Director having been issued herein on May 28, 1941, granting temporary relief in part by modifying the sub-district designations and corresponding minimum prices for certain mines in District No. 17; and

It appearing that the temporary relief thereby granted, in so far as it relates to prices of James Mine (Mine Index No. 283) of G. G. Hart & Sons, Moffat County, Sub-District No. 5, fails to conform with the prices of other mines in that county and sub-district temporarily established in Temporary Supplement No. 3 to Price Schedule No. 1, District No. 17, attached to the Order of October 29, 1940, in Docket A-174, and may operate to the prejudice of those mines;

Now, therefore, it is ordered, That, effective ten (10) days from the date of this Order and pending final disposition of this matter, the Memorandum Opinion and Order Granting Temporary Relief in Part, and Correcting Errors in the Transcript issued herein on May 28, 1941 be and it hereby is amended, and the relief therein granted is revised, as follows:

The prices established and set forth at the foot of page 4 of said Order, for James Mine of G. G. Hart & Sons are deleted and in lieu thereof the following are substituted:

Sub-District No. 5

Producer, Hart & Sons, G. G.; Mine, James; County, Moffat.

Size groups: 1, 455; 2, 445; 3, 425; 4, 425; 5, 400; 6, 370; 7, 360; 9, 315; 10, 285; 11, 260; 13, 170; 17, 315.

In all other respects said Order remains in full force and effect.

Notice is hereby given That motions to stay, terminate or modify the temporary relief granted in this Order may be made pursuant to the Rules and Regulations of the Bituminous Coal Division for Proceedings under section 4 II (d) of the Bituminous Coal Act of 1937.

Nothing contained herein shall be construed to represent the views of the

Director on the final disposition of the issues herein involved.

Dated: June 24, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-4528; Filed, June 25, 1941; 10:58 a. m.]

[Docket Nos. A-725, A-749]

PETITION OF DISTRICT BOARD 11 FOR THE ESTABLISHMENT OF SEASONAL DISCOUNTS TO APPLY ON THE SALES OF DISTRICT 11 COALS DURING CERTAIN SPECIFIED MONTHS, FOR SHIPMENT TO ALL MARKET AREAS AND PETITION OF DISTRICT BOARD 9 FOR THE ESTABLISHMENT OF SEASONAL DISCOUNTS ON DISTRICT 9 COALS IN SIZE GROUPS 1-6, INCLUSIVE, AND 8-9, SOLD FOR DOMESTIC PURPOSES TO RETAIL DEALERS IN CERTAIN MARKET AREAS DURING THE MONTHS OF MAY, JUNE, JULY, AND AUGUST, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

MEMORANDUM OPINION AND ORDER CONCERN-ING SUNDRY MATTERS WITH RESPECT TO TEMPORARY RELIEF

The original petitions in these proceedings requested seasonal discount privileges for all producers in Districts 9 and 11, respectively. A public hearing was held after appropriate notice.

Subsequent to the hearing, the original petitioners filed respective motions seeking temporary relief, pending final disposition of the original petitions, upon the basis of the record made at the hearing.

Pursuant thereto, an order was entered on May 15, 1941, granting temporary relief, in part, by extending the seasonal discount privileges set forth in the order to the King Station, Price Group 14; Brazīl Block, Price Groups 15, 16, and 17; and Glendora Mines, Price Group 6, in District 11; and to the Sentry Mine, (Mine Index No. 72), of the Sentry Mining Company, and all the VI Vein Mines in District 9, during the months of May, June, July, and August. The relief thus granted was temporary, pending final disposition of these proceedings.

On May 26, 1941, District Board No. 9 filed a motion for the modification of the temporary order requesting that seasonal discount privileges be granted to all mines in District 9; or, in the alternative, that the temporary relief granted to the Sentry Mine and the VI Vein Mines be revoked.

On May 29, 1941, District Board No. 11 filed a motion to modify the temporary order so as to extend seasonal discount privileges to all mines in District 11.

On June 9, 1941, District Board No. 10 filed a brief in opposition to the motions of District Board Nos. 9 and 11; however, stating that it would have no objection to the granting of the alternative pro-

vision in the motion of District Board No. 9, for the revocation of the temporary order as it applied to District 9 mines.

On June 9, 1941, interveners, Franklin County Coal Corporation et al., filed a brief in opposition to the motions of District Board Nos. 9 and 11 and moved that the temporary order be revoked.

On June 10, 1941, a petition to intervene and motion to modify the temporary order dated May 15, 1941, was filed jointly by District No. 23, United Mine Workers of America and Ed J. Morgan. the Labor Member of District Board No. 9. This motion is that the temporary order be so modified as to apply to all mines in District 9, or, in the alternative, to revoke the relief therein granted to the Sentry Mine and the VI Vein Mines, in District 9. The petition and motion state that the interveners adopt and ratify the motion of District Board No. 9 for the modification of the temporary order.

On June 18, 1941, the Bituminous Coal Consumers' Counsel filed a motion to modify the temporary order so as to extend to all code members in District 9 the relief granted to the Sentry Coal Mining Company, Sentry Mine and the VI Vein Mines.

District Board Nos. 9 and 11; interveners, District No. 23, United Mine Workers of America et al.; and the Bituminous Coal Consumers' Counsel, urged that the relief should be extended to all mines in those districts on the ground set forth in the respective original petitions. The principal reason assigned by District Board No. 10 and Franklin County Coal Corporation et al., in support of the revocation of the temporary order was that when seasonal discounts were established for the domestic sizes in Southern Illinois coals in Price Groups 1-8 and 11, the differentials between those coals and competitive sizes of other coals in Minimum Price Area No. 2 were widened by fifteen cents (15e) per ton. It is urged that this widening of differentials exists with respect to, not only the mines mentioned in the temporary order, but to all mines in Districts 9 and 11. It is contended that the granting of relief would destroy the coordination in Minimum Price Area No. 2 unless the Southern Illinois domestic coals were reduced 15 cents (15¢) per ton. In support of the motions for the revocation of the temporary order, it is further contended that the widening of the differential by increasing Southern Illinois prices fifteen cents (15¢) per ton was a consideration for the granting of seasonal discount privileges to the Southern Illinois mines. It is urged that the two circumstances, namely, widening the differential and granting seasonal discounts, are dependent each upon the other.

The relief granted in the Director's earlier order was temporary, pending final disposition of the original petitions.

The basis upon which the temporary relief is founded and the reasons for limiting such relief to certain mines are fully set forth in the order and their repetition at this time would serve no useful purpose. The matter of coordination, in so far as the same may be influenced in this case, by the granting or withholding of seasonal discount privileges, is a matter which will be more properly dealt with in the final determination of the original petitions.

As heretofore stated, the subject matter of the Order, dated May 15, 1941, is temporary relief. That order was issued because it had been found that a reasonable showing had been made of actual or impending injury in the event the relief therein was not granted, and an adequate showing had been made that other interested parties would not be unduly prejudiced by the granting of such relief.

On the basis of the foregoing considerations; the Memorandum Opinion and Order, dated May 15, 1941; the evidence; and the entire record in this cause, I conclude that the motions for the extension of seasonal discount privileges to all mines in Districts 9 and 11 should be overruled; the alternative provision contained in the motion of District Board No. 9 and District No. 23, United Mine Workers et al., for the revocation of the temporary relief granted to the Sentry Mine and the VI Vein Mines in District 9, which is opposed by the Bituminous Coal Consumers' Counsel, should be denied; and, the motions of District Board No. 10 and Franklin County Coal Corporation et al., for the revocation of the temporary order, should likewise be overruled.

Nothing contained herein shall be taken to express the Director's views concerning the final disposition of any of the matters involved herein.

Accordingly, it is so ordered. Dated: June 24, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-4529; Filed, June 25, 1941; 10:53 a. m.]

[Docket No. 1536-FD]

In the Matter of Theresy Mining Company, Defendant

ORDER CORRECTING ORDER OF DISMISSAL

The Director having dismissed the complaint herein by an Order dated June 19, 1941, the first statement of said Order reading, "District Board 8, having filed a complaint"; being incorrect;

Now, therefore, it is ordered, That the first paragraph of the Director's Order of June 19, 1941, in this matter be, and it hereby is, corrected to read, as follows:

Troy T. Deskins, a Code Member of District 8, having filed a complaint with this Division on January 30, 1941, pur-

²6 F.R. 3013.

suant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937; * *

Dated: June 24, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-4530; Filed, June 25, 1941; 10:59 a. m.]

[Docket No. 1695-FD]

IN THE MATTER OF PROCEEDINGS TO DETER-MINE IF CERTAIN REGISTERED DISTRIBU-TORS ARE BONA FIDE MERCHANTS AC-TIVELY, REGULARLY, AND CONTINUOUSLY ENGAGED IN THE BUSINESS OF PURCHAS-ING COAL FOR RESALE AND ACTUALLY RE-SELLING IT IN NOT LESS THAN CARGO OR RAILROAD CARLOAD LOTS WITHIN THE MEANING OF SECTION 304.13 OF THE RULES AND REGULATIONS FOR THE REGIS-TRATION OF DISTRIBUTORS: AND FOR THE REVOCATION OF THE REGISTRATION OF DISTRIBUTORS WHO ARE NOT SO ENGAGED

ORDER OF DISMISSAL AS TO CERTAIN RESPONDENTS

It appears, from information in the possession of the Division, that certain of the respondents listed in Exhibit "A" in the Order to Show Cause and Notice of Hearing in this Docket, dated May 26, 1941, are actively, regularly, and continuously engaged in the business of purchasing coal for resale and actually reselling it in not less than cargo or railroad carload lots within the meaning of § 304.13 of the Rules and Regulations for the Registration of Distributors;

It is therefore ordered. That the proceedings in Docket No. 1695-FD be dismissed without prejudice as to the following named respondents:

Number, Name, and Address

1888. Cory Mann George Corp., 26 Beaver St., New York, N. Y.

3437. William H. Geyer, 136 South Ann St., Lancaster, Pa. 4684. Indian Chief Coal Co., 14 Wall St.,

New York, N. Y. 6615. Morrisdale Coal Mining Co., 1512 Real

Estate Trust Bldg., Philadelphia, Pa. 8448. Six States Coal Corp., American Bank Bldg., Pittsburgh, Pa. 7939. Robert Russell, 318 Walnut St., Den-

ver. Colo.

8334. Sheridan-Wyoming Coal Co., Inc.,

Monarch, Wyo. 9332. Wade Coal Co., 32 W. Randolph St.,

Chicago, Ill. 2777. Enos Coal Mining Co., 1101 Guardian Bidg., Cleveland, Ohio. 4112. Hayden Coal Co., Inc., 1 Broadway, New York, N. Y. 4796. Jenkins & McCall Coal Co., Frost-

burg, Md. 5524. George J. Lerch (M. F. Lerch & Son), 70 Grandview Blvd., W. Lawn, P. O., Wyoming Hills, Pa.

5737. A. L. Loy, 723 Bingaman St., Reading,

5934. W. S. & J. C. Manuel, 1540 Rockefeller Bldg., Cleveland, Ohio. 9501. Webb & Gray Coal Co., 411 E. Marion

Joliet, Ill. 3365. Chas. Gasperi (Riverside Coal Co.),

305. Chas. Casper (Hydriside Coal Co.), Novinger, Mo. 4072. Hasler & Co., Inc., Board of Trade Bldg., Norfolk, Va. 9535. Myron B. Weil, 17 Battery Place, N. Y., N. Y.

0388. Baker-Whiteley Coal Co., Keyser Bldg., Baltimore, Md.

1496. Cedarbrook Coal Co., Inc., Bulletin Bldg., Philadelphia, Pa. 3085. Ford Collieries Co., 1622 Ford Bldg.,

Detroit, Mich.

8364. Shuler Coal Co., 609 Kahl Bldg., Davenport, Iowa.

8631. Standard Coal Co., P. O. Box 200, Vincennes, Ind.

5995. Paul S. Martin Coal Co. (Paul S. Martin), Rear, 1267 W. King St., York, Pa. 3560. Southern Coal & Coke Co., Booth-

n, Ala. 4416. F. W. Hoffman Coal Co., 109 S. Ohio Ave., Columbus, Ohio.

5101. Kirkbride, Helen W. (Fred O. Kirkbride & Co.), 87 Main St., Massena, N. Y. 2986. Fire Creek Coal Co., Inc., 17 Battery

Place, New York, N. Y. 1078. Breyer, Floyd (Breyer's Equity Ex-change), 147. Alien Lane SW., New Philadel-Óhio.

1396. Canton Coal Sales, Inc., 205 Cleve-

land Ave. NW., Canton, Ohio. 2757. Empire Fuel Co., Centerville, Iowa. 6069. Maxwell, Ross F., 303 Marshall Bldg.,

Cleveland, Ohio. 8906. Talbot & Co., B. M., Troy, Alabama. 0732. Bessemer Coal Iron & Land Co., 1312 First National Bidg., Birmingham, Ala.

Dated: June 24, 1941.

[SEAL]

H. A. GRAY. Director.

[F. R. Doc. 41-4531; Filed, June 25, 1941; 10:59 a. m.l

[Docket No. 1492-FD]

THE MATTER OF WARREN LITTLE (Double Creek Coal Company)

ORDER OF DISMISSAL

District Board 15 having filed a complaint with this Division on December 2, 1940, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937; and

A hearing having been held on February 4, 1941, pursuant to an Order of the Director dated December 18, 1940; and

Appearances having been entered on behalf of all parties, but no testimony having been offered at the hearing; and

The original complainant having moved for dismissal of the complaint, and there being no opposition thereto; and

Good and sufficient cause for dismissal having been shown:

It is ordered, That the complaint of District Board 15 in this proceeding be and it is hereby dismissed without prejudice.

Dated: June 24, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-4532; Filed, 10:59 a. m.] June 25, 1941;

[Docket No. A-75]

PETITION OF PERSHING FUEL COMPANY FILED PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937 CON-CERNING MINIMUM PRICES ESTABLISHED FOR THE LARGER SIZES OF COALS FOR RAIL DELIVERY IN MARKET AREAS 60 AND 63

ORDER DISMISSING PETITION

The original petitioner having moved that the proceedings in the above-en-

titled matter be dismissed without prejudice, and there having been no opposition thereto;

Now, therefore, it is ordered, That the original petition in the above-entitled matter be dismissed without prejudice and the proceedings in this Docket be closed.

Dated: June 24, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-4533; Filed, June 25, 1941; 11:00 a. m.]

[Docket No. A-430]

PETITION OF BITUMINOUS COAL PRODUCERS BOARD FOR DISTRICT No. 23 FOR MODIFI-CATION IN THE EFFECTIVE MINIMUM PRICES OF RAIL COAL OF SUBDISTRICT "A," DISTRICT No. 23, IN SIZE GROUPS 21 AND 23 FOR SHIPMENT INTO MARKET AREAS 237 AND 239

ORDER OF THE DIRECTOR

An original petition having been filed with the Bituminous Coal Division on November 29, 1940, by District Board 23, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting a modification of effective minimum prices established for coals produced in Subdistrict A (Roslyn) of District 23, in Size Groups 21 and 23, for rail shipment to certain destinations of Market Areas 237 and 239; and

A hearing having been held in that matter, pursuant to Orders of the Director dated December 22 and 23, 1940, on January 23, 1941, before a duly designated Examiner of the Division, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard; and

The preparation and filing of a report by the Examiner having been waived by all parties, and the matter thereupon submitted to the Director; and

The Director having made Findings of Fact and Conclusions of Law and having rendered an Opinion in this matter, which are filed herewith:

Now, therefore, it is ordered, That the prayers for relief contained in the petition of District Board 23 be and they are hereby denied.

Dated: June 24, 1941.

[SEAL]

H. A. GRAY, Director.

[F. R. Doc. 41-4534; Filed, June 25, 1941; 11:00 a. m.l

General Land Office.

[Circular No. 1488]

REGULATIONS FOR THE SALE OF TOWN LOTS IN THE SECOND ADDITION TO THE TOWN SITE OF TULELAKE, CALIFORNIA

1. Statutory authority. The lots in the second addition to the town site of Tulelake, California, will be disposed of under the Acts of April 16 and June 27, 1906 (34 Stat. 116, 519; 43 U. S. C. 434, 448, 561-563, 568, 594). The town site plat was accepted February 16, 1939.

2. Area and price. The area and minimum price of the lots which will be sold is shown by the attached schedule.

3. Public sale. On August 6, 1941 at 10 a.m. a sale at public auction to the highest bidder will be held at Tulelake, California. B. E. Hayden has been designated as superintendent of the sale and Herbert C. Melaas as auctioneer.

4. Terms of sale. Full payment for the lots may be made in cash on the date of the sale or one-fourth of the purchase price in cash and the balance in not to exceed three annual installments with interest at six per cent per annum on the deferred payments. The deferred payments are to be made to the Register of the District Land Office at Sacramento, California. If the deferred payments are not made when due, the money deposited will be forfeited and the lot will be subject to further disposition.

5. Authority of superintendent. The superintendent conducting the sale is authorized to reject any and all bids for any lot and to suspend, adjourn, or postpone the sale of any lot or lots to such time and place as he may deem proper. After all the lots have been offered, the superintendent will close the sale. The price at which each lot is bid in shall be considered its reappraised price. No lot will be considered as sold until payment is made in full. All unsold lots will be subject to private entry at the District Land Office at Sacramento, California, for cash at the reappraised price.

6. Warning. All persons are warned against forming any combination or agreement which will prevent any lot from selling advantageously or which will in any way hinder or embarrass the sale. Any persons so offending will be prosecuted under section 59 of the Criminal Code of the United States.

[SEAL]

FRED W. JOHNSON, Commissioner.

Approved: June 7, 1941.
OSCAR L. CHAPMAN,
Assistant Secretary.

Schedule of lots in the second addition to Tulelake town site to be sold at public sale

Block No.	Lot No.	Area (square feet)	Appraisal
77	12345567891011213141233	11,000 11,000 11,000 11,000 11,000 11,000 11,000 11,000 11,000 11,000 11,000 11,000 11,000 11,000 11,000 11,000 11,000 11,000	\$150.00 103.00 109.00 109.00 109.00 109.00 109.00 99.00 99.00 99.00 110.00 125.00 125.00 125.00
28	4 5	6,600 6,600	100.00 100.00

No. 124---2

Schedule of lots in the second addition to Tulelake town site to be sold at public sale—Continued

	•	•	•
Block No.	Lot No.	Area (squaro feet)	Approimi
23	6	0.00	eim m
23	اخ	နေ့တာ နေ့တာ	\$100,00
23	1 8		110.00 100.00
23	إرةا	i ččáš	
23	10	6666	1 02.00
23	լ ոլ	6,600	
23	12	6,639	ω_{00}
23	13	6,600	192.00
23	افتا	6,600	1 125.00
29	41	နှင့်ကို	1 200 m
2	1 51	types of the	200.00
23	1 41	6 COO	100.00
29	اة	665	103.00
29	l či	กักกัก	125.03
29	7	čč35	152.00
29	8	665.5	110.00
2	9	6652	100.00
29	101	6,600	100.00
29	111	6,630	100.00
20	121	6.600	199.69
29	13	g giết l	150.69
29	41	เมียม อำนา	2000
29 39. 30.	[ج	6 5.00 6 5.00	200.00 272.00
იე -	3	800	រីស៊ី ក្
30 30	4	รีซีวั	100.00
30	5	8 23	i 00.00
30	61	8,250	100.00
30	71	8,533	110.00
30 30	۱ ۾	8,25)	150.00
30	121	8,200	123.00
00	111	6 0.0	123.00
30	12	รีร์วั	រីទាំញ
			A 47. 5 to
30	13	8,220	200.00
30	13 14	8,200 8,200	200.00 200.00
30	13 14 1	8 20 8 20 8 20 8 20	200.00 200.00 174.00
30 31	13 14 1 2	8 20 8 20 8 20 8 20 8 20	200.00 200.00 174.00 100.00
30 31	13 14 1 2 3	8,239 8,239 8,239 8,239 8,239	200.00 200.00 173.00 100.00 73.00
30 31	13 14 1 2 3	88888888888888888888888888888888888888	200.00 200.00 174.00 100.00 74.00 74.00
30 31	13 14 1 2 3 4 5	823 823 823 823 823 823 823 823 823 823	200.00 200.00 174.00 100.00 74.00 74.00 74.00
30 31	13 14 1 2 3 4 5 6	28888888888888888888888888888888888888	200.00 200.00 174.00 100.00 74.00 74.00 74.00 74.00 74.00
30 31	13 14 12 34 56 78	166 166 166 166 166 166 166 166 166 166	200.00 200.00 175.00 100.00 75.00 75.00 75.00 75.00 100.00
30 31	13 14 12 34 56 78 9	 	200.00 200.00 175.00 160.00 75.00 75.00 75.00 60.00 100.00
30 31	13 14 12 23 45 67 89 10	। ଅଧିକ୍ରୟ ଅଧିକ୍ରୟ ଅଧିକ୍ରୟ ଅଧିକ୍ରୟ ଅଧିକ୍ରୟ ଅଧିକ୍ରୟ ଅଧିକ୍ରୟ ଅଧିକ୍ରୟ ଅଧିକ୍ରୟ ଅଧିକ୍ରୟ ଅଧିକ୍ରୟ ଅଧିକ୍ରୟ ଅଧିକ୍ରୟ ଅଧିକ	20.00 20.00 172.00 160.00 72.00 72.00 72.00 100.00 60.00
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[F. R. Doc. 41-4510; Filed, June 24, 1941; 3:01 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNIERS
UNDER THE FAIR LABOR STANDARDS ACT
OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed

below and published in the Federal Register as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 FR. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6-F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective June 26, 1941. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRLI, INDUSTRY, PRODUCT, NUMBER OF LEARNERS, AND EX-PIRATION DATE

California Slikerette Company, 6566 Santa Monica Boulevard, Los Angeles, California; Apparel; Rainwear; 1 learner (75% of the applicable hourly minimum wage); June 26, 1942.

J. Capps & Sons, Ltd., 500 West Lafayette Avenue, Jacksonville, Illinois; Apparel; Men's Clothing; 5 percent (75% of the applicable hourly minimum wage); June 26, 1942.

Desirable Frocks, 304 Ninth Street, Jersey City, New Jersey; Apparel; Children's Dresses; 15 learners (75% of the applicable hourly minimum wage); October 23, 1941.

Dickson-Jenkins Manufacturing Company, 202 St. Louis Street, Fort Worth, Texas; Apparel; Work Clothes, Trousers, Sportswear; 12 learners (75% of the applicable hourly minimum wage); September 18, 1941

September 18, 1941.

Du Benay Undergarment, Inc., 102

Madison Avenue, New York, New York;

Apparel; Ladles' Underwear; 5 learners

(75% of the applicable hourly minimum wage); September 18, 1941.

Charles Edelman, 2701 North Broad Street, Philadelphia, Pennsylvania; Apparel; Children's Cotton Dresses, 5 percent (75% of the applicable hourly minimum wage); June 26, 1942.

Jac Sportswear, Inc., 702 Broadway, New York, New York; Apparel; Men's Sport Shirts, Ladies' Shirtwaists; 5 learners (75% of the applicable hourly minimum wage); September 18, 1941.

B. L. Klein Dress Company, 210 N. Valley Avenue, Olyphant, Pennsylvania; Apparel; Ladies' & Children's Cotton Dresses; 5 percent (75% of the applicable hourly minimum wage); June 26, 1942.

Ladd Tailoring Company, Ladd, Illinois; Apparel; Men's Clothing; 4 learners (75% of the applicable hourly minimum wage); June 26, 1942.

Local 15, Amalgamated Clothing Workers of America, 409 Columbia Street, Utica, New York; Apparel; Coats; 20 learners (75% of the applicable hourly minimum wage); October 9, 1941.

Marshall Frock Company, 1007 Market Street, Philadelphia, Pennsylvania; Apparel; Ladies' Dresses; 3 learners (75% of the applicable hourly minimum wage); June 26, 1942.

Nannette Manufacturing Company, Sixth & Hunter Streets, Gloucester, New Jersey; Apparel; Children's Dresses; 5 percent (75% of the applicable hourly minimum wage); June 26, 1942.

Sammer Pants Company, 311 West Baltimore Street, Baltimore, Maryland; Apparel; Trousers; 5 learners (75% of the applicable hourly minimum wage); June 26, 1942.

Shenandoah Manufacturing Company, Washington & Bower Streets, Shenandoah, Pennsylvania; Apparel; Ladies' Dresses; 40 learners (75% of the applicable hourly minimum wage); October 9, 1941.

Stoughton Garment Company, Stoughton, Wisconsin; Apparel; Trousers; 45 learners (75% of the applicable hourly minimum wage); August 14, 1941.

Tigris Sportswear Corporation, 95 Bridge Street, Lowell, Massachusetts; Apparel; Leather & Woolen Sportswear; 5 learners (75% of the applicable hourly minimum wage); October, 23, 1941.

H. Vaniver & Company, Inc., 240 Market Street, Philadelphia, Pennsylvania; Apparel; Washable Coats, Aprons, Trousers & Uniforms; 4 learners (75% of the applicable hourly minimum wage); October 23, 1941.

Bradley Full Fashioned Hosiery Company, Inc., Cleveland, Tennessee; Hosiery; Full Fashioned Hosiery; 5 learners; February 26, 1942.

Clay County Products Company, Green Cove Springs, Florida; Hosiery; Full Fashioned Hosiery; 20 learners; February 26, 1942.

Collinsville Hosiery Mill, Inc., Collinsville, Alabama; Hosiery; Full Fashioned Hosiery; 5 learners; June 26, 1942.

Guilford Hosiery Mills, Inc., High Point, N. C.; Hosiery; Seamless Hosiery; 5 percent; February 26, 1942.

Harson Hoslery Mills, Inc., Folsom, New Jersey; Hoslery; Full Fashioned Hoslery; 5 learners; June 26, 1942.

Miller-Smith Hosiery Mills, Delano, Tennessee; Hosiery; Full Fashioned Hosiery; 15 learners; February 26, 1942.

Fort Schuyler Knitting Company, 1607 Kemble Street, Utica, New York; Knitted Wear; Underwear & Commercial Knitting; 5 percent; June 26, 1942.

Little Falls Manufacturing Company, 515 East Mill Street, Little Falls, New York; Knitted Wear; Knitted Underwear; 5 percent; March 10, 1942.

Nescopeck Knitting Mills, Inc., 213 W. Third Street, Nescopeck, Pennsylvania; Knitted Wear; Knitted Outerwear; 5 learners: December 3, 1941.

American Throwing Company, East Solomon Street, Griffin, Georgia; Textile; Silk; 15 learners; November 13, 1941.

Hoffman Tape Mills, Hasbrock & Beecher Streets, Cheltenham, Pennsylvania; Textile; Woven Narrow Fabrics; 3 percent; June 26, 1942.

Hollinger Mills Company, College & B Streets, Carlisle, Pennsylvania; Textile; Cotton Bath Mats; 14 learners; October 9, 1941.

Phoenix Hosiery Company, 320 E. Buffalo Street, Milwaukee, Wisconsin; Textile; Yarn & Thread; 10 percent; December 23, 1941. (This certificate replaces one issued effective December 23, 1940.)

J. F. Poole Spread Company, R. F. D. 3, Rockmart, Georgia; Textile; Chenille Bedspreads; 35 learners; October 9, 1941.

Twentieth Century Silk Corporation, Bishopthorpe & Cherokee Streets, Bethlehem, Pennsylvania; Textile; Silk Throwing; 40 learners; November 13, 1941.

Twentieth Century Silk Corporation, Bishopthorpe & Cherokee Streets, Bethlehem, Pennsylvania; Textile; Silk Throwing; 3 percent; June 26, 1942.

Windsor Coverlet Company, Inc., 114 Straight Street, Paterson, New Jersey; Textile; Chenille Products; 135 learners; October 9, 1941.

Signed at Washington, D. C. this 25th day of June, 1941.

GUSTAV PECK, .

Authorized Representative
of the Administrator.

[F. R. Doc. 41-4542; Filed, June 25, 1941; 11:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6088]

Notice Relative to Scripps-Howard Radio, Inc. (New)

Application dated August 20, 1940, for construction permit; class of service, broadcast; class of station, broadcast; location, Houston, Texas; operating assignment specified: Frequency, 1,230 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above de-

scribed application and has designated the matter for hearing for the following reasons:

- 1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.
- 2. To determine the nature and character of service, both program and technical, to be rendered by the proposed station.
- 3. To determine the character, extent and effect of interference which may result from the simultaneous operation of the proposed station and Station KPAC, Port Arthur, Texas.
- 4. To determine the character, extent and effect of interference which may result from the simultaneous operation of the proposed station and Station KPAC, Port Arthur, Texas, operating as proposed in its pending application (B3-MI-956).
- 5. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service, as required by section 307 (b) of the Communications Act of 1934, as amended.
- 6. To determine the extent to which the granting of this application would tend toward a concentration of control over media for advertising and communication in the proposed service area.
- 7. To determine whether public interest, convenience and necessity would be served by the granting of this application, the application of Texas Star Broadcasting Company (B3-P-3006, Docket No. 6089) or the application of Greater Houston Broadcasting Company (B3-P-3137, Docket No. 6096), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Scripps-Howard Radio, Inc., c/o Jack R. Howard, President, 230 Park Avenue, New York, N. Y.

Dated at Washington, D. C., June 23, 1941.

By the Commission.

[SEAL]

T. J. Slowie, Secretary.

[F. R. Doc. 41-4535; Flied, June 25, 1941; 11:23 a. m.]

[Docket No. 6089]

NOTICE RELATIVE TO TEXAS STAR BROAD-CASTING COMPANY (NEW)

Application dated October 28, 1940, for construction permit; class of service, broadcast; class of station, broadcast; location, Houston, Texas; operating assignment specified: Frequency, 1,230 kc.; power, 250 watts; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

- 1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.
- 2. To determine the nature and character of service, both program and technical, to be rendered by the proposed station.
- 3. To determine the character, extent and effect of interference which may result from the simultaneous operation of the proposed station and Station KPAC, Port Arthur, Texas.
- 4. To determine the character, extent and effect of interference which may result from the simultaneous operation of the proposed station and Station KPAC, Port Arthur, Texas, operating as proposed in its pending application (B3-MI-956).
- 5. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service, as required by section 307 (b) of the Communications Act of 1934, as amended.
- 6. To determine whether public interest, convenience and necessity would be served by the granting of this application, the application of Scripps-Howard Radio, Inc. (B3-P-2962, Docket No. 6088) or the application of Greater Houston Broadcasting Company (B3-P-3137, Docket No. 6096), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Texas Star Broadcasting Company, J. R. Parten, President, 14th Floor Second National Bank Bldg., Houston, Texas.

Dated at Washington, D. C., June 23, 1941.

By the Commission.

[SEAL]

T. J. Slowie, Secretary.

[F. R. Doc. 41-4536; Filed, June 25, 1941; 11:23 a.m.]

[Docket No. 6096]

Notice Relative to Greater Houston Broadcasting Company, Inc. (New)

Application dated March 17, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Houston, Texas; operating assignment specified: Frequency, 1,230 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

- 1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.
- 2. To determine the nature and character of service, both program and technical, to be rendered by the proposed station.
- 3. To determine the character, extent and effect of interference which may result from the simultaneous operation of the proposed station and Station KPAC, Port Arthur, Texas.
- 4. To determine the character, extent and effect of interference which may result from the simultaneous operation of the proposed station and Station KPAC, Port Arthur, Texas, operating as proposed in its pending application (B3-ML-956).
- 5. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service, as required by section 307 (b) of the Communications Act of 1934, as amended.
- 6. To determine whether public interest, convenience and necessity would be served by the granting of this application, the application of Texas Star Broadcasting Company (B3-P-3006, Docket No. 6089) or the application of Scripps-Howard Radio, Inc. (B3-P-2962, Docket No. 6088), or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules

of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Greater Houston Broadcasting Co., Inc., % F. L. Andrews, Attorney, 22d Floor, Gulf Building, Houston, Texas.

Dated at Washington, D. C., June 23, 1941.

By the Commission.

[SEAL]

T. J. Slowie, Secretary.

[F. R. Doc. 41-4537; Filed, June 25, 1941; 11:23 a. m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 812-170]

In the Matter of Management Associates

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 24th day of June, A. D. 1941.

An application having been duly filed by the above named applicant under and pursuant to the provisions of section 2 (a) (9) of the Investment Company Act of 1940 for an order declaring it to be not controlled by Ivan C. Patterson, a holder of 500 shares of its outstanding 1,500 shares of capital stock.

It is ordered, That a hearing on the matter of the application of the above named applicant under and pursuant to section 2 (a) (9) of the Investment Company Act of 1940 be held on June 28, 1941 at 10:00 o'clock in the forencon of that day in Room 1102 of the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.

It is further ordered, That William W. Swift, Esq. or any officer or officers of the Commission designated by it for that purpose shall preside at such hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

Francis P. Brasson, Secretary.

[F. R. Doc. 41-4540; Filed, June 25, 1941; 11:36 a.m.]

[File No. 812-171]

IN THE MATTER OF WESTERN NEW YORK FUND, INCORPORATED '

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 24th day of June, A. D. 1941.

An application having been duly filed by the above named applicant under and pursuant to the provisions of section 6 (c) of the Investment Company Act of 1940, for an order of exemption from the requirements of section 30 (d) of said Investment Company Act and from the provisions of Paragraph A of Rule N-30D-1 insofar as a transmission of a report to its stockholders as of June 30, 1941 is required;

It is ordered, That a hearing on the application of the above named applicant under and pursuant to section 6 (c) of said Investment Company Act be held on July 2, 1941, at 10:00 o'clock in the forenoon of that day in Room 1101 of the Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C.

It is further ordered, That Charles S. Lobingier, Esq., or any officer or officers of the Commission designated by it for that purpose shall preside at such hearing on such application. The officer so designated to preside at any such hear-

ing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] Francis P. Brasson, Secretary.

[F. R. Doc. 41-4541; Filed, June 25, 1941; 11:36 a. m.]